REMARKS

Claims 1-40 were pending in this application. Claims 2-4, 7, 11-12, 16-17, 21 and 36-39 are cancelled. Claims 1, 5, 8-10, 13-15, 18-20, 22 and 35 are amended. Claim 1 has been amended to incorporate the limitations of cancelled claims 2-3, 11-12 and 16-17. Claim 35 has been amended such that the system claimed therein is configured to provide the ability to perform the steps of amended method claim 1. New claim 41 has been added, which incorporates the limitations of claims 1-4 and 7. No new subject matter is believed to have been added by these amendments. Therefore, claims 1, 5-6, 8-10, 13-15, 18-20, 22-35, and 40-41 remain in this application.

35 U.S.C. §112 Rejections

Claims 8-10 and 21 stand rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. Claims 8-10 have been amended to depend from new claim 41 (which incorporated the limitations of cancelled claim 7). The Examiner has examined the claims as such. Claim 21 has been cancelled by this Amendment, thus rendering the rejection of claim 21 moot. Applicants believe that the above amendments to claims 8-10 and the cancellation of claim 21 overcome the Examiner's indefiniteness rejections. Reconsideration of these rejections is respectfully requested.

35 U.S.C. §102 & §103 Rejections

Claims 1-3, 11, 16, 23-24 and 27-30 stand rejected under 35 U.S.C. §102(e) for anticipation by U.S. Patent Application Publication No. 2003/0163783 to Chikirivao et al. (hereinafter "the Chikirivao publication") and claims 4-10, 12-15, 17-21 and 31-34 stand rejected under 35 U.S.C. §103(a) for obviousness over the Chikirivao publication in view of U.S. Patent No. 5,907,837 to Ferrel et al. (hereinafter "the Ferrel patent").

The Chikirivao publication discloses a system for developing rules in a knowledge management system. Specifically, a builder module utilizing a visual development environment is provided for creating rules by an administrator of the system. This allows an administrator or other user of the system to quickly and easily define, test and edit rules that reflect a specific company's practices. The Ferrel patent discloses a network crawler for locating and identifying content, and then grouping related objects to that content in the context of a multimedia publishing system.

The Examiner acknowledges that the Chikirivao publication fails to disclose the aspect of an input recognizer, especially in connection with a signifier. However, the Examiner asserts that the teachings relating to a signifier are found in the Ferrel patent, as they apply to claims 7, 12 and 17. Specifically, the Examiner states that the motivation to combine the teachings of the Chikirivao publication and that of the Ferrel patent lies in the fact that both references are "from the same field of endeavor" (i.e., software development) and relate to "information management and retrieval." More so, the Examiner states that it would have been obvious to use the "signifier" taught in the Ferrel patent and apply it to the Chikirivao publication "for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network."

Applicants respectfully disagree with the Examiner's obviousness rejections and, more specifically, with the reasoning given for the rejection of the claims relating to the input recognizer and signifier. Essentially, a signifier of the present invention, as defined in the specification (See paragraph [0060]) is a "specific tag or instruction embedded in a text string used by the input recognizer or by the recognition by the editor... which calls for a specific piece of information." The presence of the signifier indicates that additional

information needs to be obtained, which results in a call being made to a corresponding field in a template containing that information. The returned information is then inserted into an underlying response or logic layer, or an input recognizer.

Although both the cited Chikirivao publication and Ferrel patent relate to "software development," the specific areas of software development are a multimedia publishing environment that inherently relies on embedded objects due to its object oriented design (i.e., Chikirivao) and a natural language processing (NLP) environment (i.e., Ferrel). Multimedia publishing and NLP are completely different technical areas. In fact, no NLP-related aspects are disclosed in the Ferrel patent. To rely on a reference under 35 U.S.C. §103, the reference must be analogous prior art (See MPEP 2141.01(a)). "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). Clearly, the Ferrel patent is neither in the field of NLP, nor would it be pertinent (reasonably or otherwise) to the problem of providing the ability to indicate the need for additional information upon parsing of an input in an NLP system. Thus, it would be unreasonable for a person having ordinary skill in the art to be motivated to use the teachings of the Ferrel patent in the Chikirivao publication.

In any case, Applicants would like to point out that the disclosure in the Ferrel patent with respect to a "signifier" (as offered by the Examiner) cannot be reasonably equated with the signifier of the claimed invention. Specifically, the Examiner offers three examples (as indicated by the Examiner's section citations) in the Ferrel patent that he equates to a signifier:

(1) Lines 548-549 of the Office Action - "*code for implementing instances*" (column 18, lines 30-50)

As discussed in the cited section, this "code" is found within a Dynamic Linked Library File (i.e., BBCTL.OCX), which allows OLE (Object Linking and Embedding) controls to be implemented within a published environment. This "code" has nothing to do with information found within data that is being parsed, as is the case with the signifier of the present invention.

(2) Lines 551-552 of the Office Action - "*tag encountered or attribute encountered... identifying the tag and attributes whose data is the element that was tagged... point to tagged text*" (column 22, lines 10-40).

This specific disclosure involves the aspects of saving an MDF file (Multimedia Document File) of an open desktop publishing project while accounting for any OLE objects thereof. The save routine creates a parse tree having nodes representative of retrieval attributes associated with a story (See column 21, lines 30-35). Specifically, the MDF file is parsed into a content tree having multiple nodes and branches (See column 22, lines 6-10). As shown in FIG. 7, each node has a formatting attribute associated with it. For example, the <WA> tag (600) indicates a wrap advertisement style for an embedded object (602) (See column 23, lines 31-39). The tags are used as an indexing guide for purposes of selectively displaying only certain formatting attributes to a requesting source depending on the bandwidth of that requesting source (See column 22, lines 9-10; column 23, lines 5-12). For example, a low-bandwidth requesting source may not necessarily be presented with the OLE object in the transmitted MDF file if the OLE object is bandwidth intensive. In any case, the "tags" cannot be equated to a signifier of the claimed invention in the context of the other claim limitations.

(3) Lines 549-550 of the Office Action - "*tagged content... insert links... able to recognize OLE controls embedded... stream of text with embedded objects such as links... also be tagged*" (column 20, lines 20-50)

Again, OLE controls are used to "extend the authoring environment" for purposes of supporting OLE. Wikipedia defines OLE as "a distributed object system and protocol [that] allows an editor to 'farm out' part of a document to another editor and then reimport it. For example, a desktop publishing system might send some text to a word processor or a picture to a bitmap editor using OLE. The main benefit of using OLE, next to reduced file size, is the ability to create a master file. References to data in this file can be made and the master file can then have changed data which will then take effect in the referenced document... [w]hile DDE (Dynamic Data Exchange) was limited to transferring limited amounts of data between two running applications, OLE [is] capable of maintaining active links between two documents or even embedding one type of document within another." As is seen in the aforementioned description and, as is known in the art, OLE is used to dynamically link an external editable object into a current project. The link is continually maintained during the course of working within the project. The dynamic essence of OLE is not found in the claimed invention and therefore cannot be equated to the claimed signifier as defined in the specification.

Based on the foregoing, the Ferrel patent is neither analogous art nor discloses a "signifier" as set forth in the specification. The Ferrel patent nor any prior art of record discloses, teaches or suggests a signifier as set forth in the claims, especially in the context of a response or logic layer (claim 1) or an input recognizer (claim 41).

Of note, new claim 41 is similar to amended claim 1, but requires the determination of whether an input recognizer needs information by identifying the presence

of a signifier, as opposed to determining whether a logic layer or response layer needs information. In any case, the use of a signifier is required in both claims 1 and 41.

Claims 22 and 25-26 stand rejected under 35 U.S.C. §103(a) for obviousness over the Chikirivao publication in view of either U.S. Patent No. 6,484,149 to Jammes et al. or a publication by Habraken entitled "Microsoft Office XP 8-in-1." However, since claims 22 and 25-26 indirectly depend from amended claim 1, claims 22 and 25-26 should be in condition for allowance once claim 1 is allowed.

Claims 35-40 stand rejected under 35 U.S.C. §102(b) for anticipation by U.S. Patent Application Publication No. 2001/0054096 to Morikawa et al. (hereinafter "the Morikawa publication"). Applicants have amended claim 35 such that the system claimed therein is configured to provide the ability to perform the steps of amended method claim 1. Accordingly, Applicants believe that claim 35 defines over the prior art of record. Because the method of claim 1 is inherent in the operation of the system of claim 35, when claim 1 is considered to be in condition for allowance, claim 35 should also be considered to be in condition for allowance.

For the foregoing reasons, the Applicants believe that the subject matter of amended independent claims 1 and 35 and new claim 41 are not rendered obvious or anticipated by the prior art of record. The claims depending therefrom add further limitations to amended independent claim 1 and 35 and are believed to be patentable for the reasons discussed hereinabove in connection with amended independent claims 1 and 35. Reconsideration of the rejections of all pending claims is respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1, 5-6, 8-10, 13-15, 18-20, 22-35, and 40-41 is respectfully requested.

Respectfully submitted,

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